

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:07CR275
	)	
v.	)	
	)	
ERIC T. CREIGHTON,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the Court after hearing on defendant's motion in limine (Filing No. 37), response to government's notice of intent to introduce Rule 404(b) evidence and contingent motion to produce (Filing No. 38), and supplemental motion in limine (Filing No. 41). During the hearing, the government advised the Court that it did not intend to contest Paragraphs 2 through 8, inclusive, and Paragraph 12 of defendant's motion (Filing No. 37), and that it did not intend to offer evidence of defendant's unwillingness to provide a voluntary statement or a DNA swab to officers after his arrest. Therefore, these motions will be granted as to those matters.

As to Paragraphs 1, 9, 10 and 11 (Filing No. 38), the Court reserves ruling pending trial. Accordingly,

IT IS ORDERED:

1) Defendant's motion in limine (Filing No. 37) is granted as to Paragraphs 2 through 8, inclusive, and Paragraph 12. Ruling is reserved as to Paragraphs 1, 9, 10 and 11.

2) Defendant's supplemental motion in limine (Filing No. 41) is granted.

3) Trial of this matter is rescheduled for:

**Monday, March 17, 2008, at 9 a.m.**

in Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The parties will have time to prepare for trial or pursue plea negotiations, and the ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between February 25, 2008, and March 17, 2008, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C.

§ 3161(h)(8)(A) & (B).

DATED this 25th day of February, 2008.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court